

Introduced by Senator Ashburn

February 22, 2005

An act to amend Section 24114 of the Education Code, relating to state teachers' retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 1064, as introduced, Ashburn. State teachers' retirement: disability retirement benefits.

The Teachers' Retirement Law provides that a member receiving a disability retirement benefit may earn up to a specified amount in any one calendar year without a reduction in his or her disability retirement allowance.

This bill would change that time period from one calendar year to any one 12-month period.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 24114 of the Education Code is
2 amended to read:
3 24114. (a) A member receiving a disability retirement benefit
4 under this part may be employed or self-employed in any
5 capacity, notwithstanding Section 22132, but may not make
6 contributions to the retirement fund with respect to the Defined
7 Benefit Program or accrue service credit under this part based on
8 earnings from any employment.
9 (b) A member receiving a disability retirement benefit under
10 this part may earn in any one ~~calendar year~~ *twelve-month period*

1 up to the limitation specified in subdivision (c) without a
2 reduction in his or her disability retirement allowance.

3 (c) The limitation that shall apply to the earnings of a member
4 receiving a disability retirement benefit under this part shall be
5 fifteen thousand dollars (\$15,000), in any one ~~calendar year~~
6 *twelve-month period*, adjusted annually by the board effective
7 each January 1 by the amount of increase in the All Urban
8 California Consumer Price Index using December 1989 as the
9 base.

10 (d) If a member receiving a disability retirement benefit under
11 this part earns in excess of the limitation specified in subdivision
12 (c) from all employment in any ~~calendar year, notwithstanding~~
13 ~~Section 22132~~ *twelve-month period*, his or her retirement
14 allowance shall be reduced by the amount of the excess earnings.
15 The amount of the reduction may be equal to the monthly
16 allowance payable but may not exceed the amount of the ~~annual~~
17 *aggregate* allowance payable under this part for the ~~calendar year~~
18 *twelve-month period* in which the excess compensation was
19 earned.

20 (e) The earnings limitation specified in this section does not
21 apply to a member receiving a disability retirement benefit under
22 this part who is participating in an approved rehabilitation
23 program pursuant to Section 24111.

24 (f) This section does not apply to a member receiving a
25 disability retirement benefit under this part who began receiving
26 a disability retirement allowance prior to October 16, 1992.